

## Town Council Meeting: 09 February 2009



Town of Garrett Park  
PO Box 84  
4600 Waverly Avenue  
Garrett Park, MD 20896

Regular Meeting of Town Council  
Garrett Park Town Hall  
10814 Kenilworth Avenue  
Garrett Park, MD 20896

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### Minutes

**Meeting Call to Order:** Mayor Keller called the meeting to order at 8:00 PM. Present were Councilmembers Berry, Hansen, Irons, Mandel, and Wegner. Also present were Administrator Pratt, Mary Moyer from the *Bugle*, and a number of Town residents.

**Approval of Agenda:** The posted Agenda was approved without objection.

#### **Presentations by Residents:**

- Warren Kornberg addressed the Council regarding the lawsuit *Martin v. Garrett Park*, and the up-coming referendum on ordinance 2008-05.
- Henri Keller reminded the Council of the Film Society's screening of a film entitled "Sweet Land" on Friday night.
- Garrett Park Cooperative Nursery School Co-President Tara Flynn updated the Council on the status of the Garrett Park Estates Community Center where the nursery school meets, noting that she expected a proposal regarding a land swap with the Town would be forthcoming from Montgomery County Parks Department.
- Jean Horan reminded the Council that the Women's Club was sponsoring a lecture on Statuary in DC, by resident Andy Seferlis, to be held in the Town Hall on Wednesday night.
- Barbara Rodes reported an increase in traffic and speeding on her section of Montrose Avenue between Argyle and Waverly Avenues and asked that the Council look into ways to control this.

#### **Mayor's Report:**

- Mayor Keller thanked the Town's maintenance staff for their exceptional work during the weekend snow storm.
- The Mayor reported that National Public Radio had interviewed several Town residents and thanked Jane Salomon, Marian Green, Dave Almy, and Paul Dickson for their participation.
- Mayor Keller noted that the readings from the archives regarding life in Garrett park during the Great Depression that was held on Sunday afternoon was a great success and thanked town Archivist Barbara Shidler, Historic Preservation Committee Chair Nancy Schwartz, and resident Marian Green for their participation in developing the program.

- The Mayor, after a brief recess, announced that a settlement had been reached in the case of *Martin v. Garrett Park*, and that the Town, pursuant to the judge's order, will issue the building permit in question to John and Elaine Martin, and that John and Elaine Martin have agreed to withdraw the other three counts in the suit and to join with the Town in requesting that the judge amend her order to accurately reflect the Town's authority to regulate lot coverage under Maryland law. Mayor Keller stated that the referendum could now proceed in a clearer atmosphere and thanked all those who had helped bring the matter to a resolution, especially resident Nan McKenzie whose hard work over the last few weeks had helped produce the settlement.

### **Approval of Minutes:**

- Councilmember Wegner **MOVED**  
That the minutes of the 01/12/2008 Regular Council Meeting be approved as distributed. Councilmember Mandel seconded the motion, which **PASSED** unanimously.
- Administrator Pratt circulated Executive Session minutes. Councilmember Irons **MOVED**  
That the minutes of Executive Sessions held on 06/30, 08/07, and 9/11 of 2008 be approved as distributed, and 07/27 and 09/13 of 2008 as revised, be approved but not be released to the public, as the purpose for holding the Executive Sessions had not yet expired. The motion was seconded by Councilmember Hansen and was **PASSED** unanimously.

### **Action/Discussion:**

- Ordinance 2008-05 Referendum Date - Mayor Keller asked that the Council consider setting a date for the referendum on Ordinance 2008-05. Councilmember Hansen **MOVED**  
That the date for the referendum on Ordinance 2008-05 be set for Monday, March 2<sup>nd</sup>. Councilmember Irons seconded the motion and Mayor Keller called for discussion. There was extended discussion, with numerous residents addressing the Council. Citizens Association Co-President Chris Strong reminded everyone that the Association would be holding a meeting on Wednesday, February 25<sup>th</sup> to allow for discussion of the referendum, and that all interested residents should plan to attend. After more discussion Councilmember Mandel **MOVED**  
The previous question. Councilmember Wegner seconded the motion, which **PASSED** unanimously.  
Mayor Keller called for the vote on the question before the Council setting the date for the referendum on Ordinance 2008-05 as March 2<sup>nd</sup>. The Council **PASSED** unanimously the motion to set the referendum date as March 2<sup>nd</sup>, 2009.

**Town Administrator Report:**

- Monthly Financial Report – Administrator Pratt presented the monthly financial report to the Council.
- Mayor Keller reminded the Council that there was a Council Budget Workshop scheduled for Monday, February 23<sup>rd</sup> at 8:00 PM.

**Adjournment:** The meeting adjourned at 9:15 PM.

Respectfully Submitted,

[TOWN SEAL]

Edwin Pratt, Jr., Clerk-Treasurer